

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/11/2009 has been entered.

### ***Response to Arguments***

1. Applicant's arguments with respect to the independent claims and the cited references have been considered but are moot in view of the new ground(s) of rejection. However, the examiner would like to note that the Dobashi reference submitted in the new grounds of rejection is different from the Dobashi references cited in the previous Office Actions.

During the interview conducted on 8/11/2009, Applicant's representative and the examiner agreed that the limitation, "...wherein the sheet covers only the lens and any portions of the housing...", would overcome the first Dobashi reference (JP 2002-318405) as the barrier mechanism covers the lens, a portion of the housing and a detection means. However, the new Dobashi reference (JP 2002-318404) covers only the lens and any portion of the housing of an imaging device and does not affect the functions of the imaging device.

### ***Claim Rejections - 35 USC § 103***

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-8, 17, 22-25 and 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Japanese Publication of Koshu (Japanese Publication Number: JP 2003-345255 A) in view of the Japanese Publication of Dobashi (Japanese Publication Number: JP 2002-318404 A).

As to claim 1, Koshu teaches an apparatus for securing (Drawing 1, label “1”) a mobile terminal ([0001], “...object...”), the securing apparatus comprising: a sheet having an upper surface (Drawing 2, surfaces “2-4”) and a lower surface (Drawing 2, cushion layer “5”) and an adhesive applied on the lower surface of the sheet; wherein the sheet may be releasably adhered to the surface of the mobile terminal ([0010], [0011] and [0017]). The claim differs from Koshu in that it further requires that the mobile terminal include a housing and an imaging device disposed within the housing for capturing an image through a lens and that the sheet covers the

lens to substantially prevent substantially clear image capture, directly covers the lens and any portions of the housing of the imaging device and be reflective or opaque.

In the same field of endeavor, Dobashi teaches a digital camera including a reflective sheet acting as a barrier mechanism placed over only a lens and any portion of the camera to prevent substantially clear image capture (Drawing 1). In light of the teaching of Dobashi, the examiner submits that it would have been obvious to combine the inventions of Koshu and Dobashi to achieve the same security afforded the objects of Koshu. Furthermore, Dobashi teaches that the barrier mechanism acts as protection for the optical system to prevent image capture.

As to claim 2, Koshu, as modified by Dobashi, teaches a securing apparatus as recited in claim 1, wherein the sheet only extends to an area of the lens so as to not affect any phone functions of the mobile terminal (see Dobashi, barrier mechanism “4”).

As to claim 3, Koshu, as modified by Dobashi, teaches a securing apparatus as recited in claim 1, wherein the lower surface of the sheet comprises a reflective surface (see Dobashi, barrier mechanism “4”).

As to claim 4, Koshu, as modified by Dobashi, teaches a securing apparatus as recited in claim 1, wherein the sheet is selected from a film (see Koshu, [0017], “...film 2...”), paper, a woven fabric, or a non-woven fabric.

As to claim 5, Koshu, as modified by Dobashi, teaches a securing apparatus as recited in claim 1, wherein the adhesive is a pressure-sensitive adhesive (see Koshu, [0016], “...pressure sensitive adhesive...”).

As to claim **6**, Koshu, as modified by Dobashi, teaches a securing apparatus as recited in claim 1, wherein the lower surface of the sheet is partially covered with adhesive (see Koshu, [0011]).

As to claim **7**, Koshu, as modified by Dobashi, teaches securing apparatus as recited in claim 6, wherein the partial adhesive coverage includes the periphery of the lower surface of the sheet (see Koshu, Drawing 2).

As to claim **8**, Koshu, as modified by Dobashi, teaches a securing apparatus as recited in claim 6, wherein the partial adhesive coverage includes all but a portion of the lower surface of the sheet, the portion of the sheet without adhesive being adjacent to the edge of the sheet (see Koshu, Drawing 2).

As to claim **17**, Koshu, as modified by Dobashi, teaches a securing apparatus as recited in claim 1, wherein the sheet is altered upon removal and wherein the alteration of the sheet includes irreversible destruction of the sheet upon removal (see Koshu, [0015]).

As to claim **22**, Koshu teaches a mobile terminal ([0001], "...object...") comprising: a sheet having an upper surface (Drawing 2, surfaces "2-4") and a lower surface (Drawing 2, cushion layer "5"); and an adhesive applied on the lower surface of the sheet, wherein the sheet may be releasably adhered to the surface of the mobile terminal ([0010], [0011] and [0017]); and wherein the sheet is altered upon removal from the surface ([0015]). The claim differs from Koshu in that it further requires that the mobile terminal be used in a wireless communication system and include a housing and an imaging device disposed within the housing for capturing an image through a lens and that the sheet covers the lens to substantially prevent substantially

clear image capture, covers only the lens and any portion of the housing of the imaging device and be reflective or opaque.

In the same field of endeavor, Dobashi teaches a digital camera used in a wireless communication system (Drawing 1 and 14) including a reflective sheet acting as a barrier mechanism placed over a lens and any portion of the housing of the camera to prevent substantially clear image capture (Drawing 1). In light of the teaching of Dobashi, the examiner submits that it would have been obvious to combine the inventions of Koshu and Dobashi to achieve the same security afforded the objects of Koshu. Furthermore, Dobashi teaches that the barrier mechanism acts as protection for the optical system to prevent image capture.

As to claim **23** and **24**, Koshu, as modified by Dobashi, teaches a mobile terminal as recited in claim 22. Although Dobashi does not state it explicitly, **Official Notice** is taken that camera phones are well known and expected in the art. One of ordinary skill would look to apply the method of Koshu to camera phones for the advantages stated in Dobashi.

*It is noted by the examiner that because applicant has failed to timely traverse the old and well known statement above, it is now taken as admitted prior art. See MPEP 2144.03 (c).*

As to claim **25**, Koshu, as modified by Dobashi, teaches a mobile terminal as recited in claim 22, wherein the imaging device is a camera (see Dobashi, Drawing 1).

As to claim **32**, Koshu, as modified by Dobashi, teaches a mobile terminal as recited in claim 22, wherein the sheet is altered upon removal and the alteration of the sheet includes irreversible destruction of the sheet upon removal (see Koshu, [0015]).

As to claim **33**, Koshu, as modified by Dobashi, teaches a mobile terminal as recited in claim 22, wherein the adhesive is a pressure-sensitive adhesive for producing a bond between the sheet and the housing of the mobile terminal or the lens ([0010] and [0011]).

As to claim **34**, claim 34 is a method claim corresponding to the apparatus claim 1. Therefore, claim 34 is analyzed and rejected as previously discussed with respect to claim 1.

2. Claims 8-14,16,18-21,26-29,31,35-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dobashi (JP 2002-318404 A) in view of the admitted and submitted prior art.

As to claims **8-14,16,18-21,26-29,31,35-41**, the admitted and submitted prior art teaches all of the limitations of these claims. In light of the teaching of the art, one of ordinary skill would recognize that the security labels of this prior art could be applied to the camera of Dobashi. These labels provide can provide proof of whether someone has tampered with the object.

### ***Conclusion***

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY J. DANIELS whose telephone number is (571)272-7362. The examiner can normally be reached on 8:00 A.M. - 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (571) 272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AD  
10/23/2009

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